

**UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF MONTANA**

In re:

**ATLANTIS WATER SOLUTIONS, LLC,**

Debtor.

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**STEVEN BALDWIN and SHELLEY  
BALDWIN,**

Plaintiffs,

-vs-

**ATLANTIS WATER SOLUTIONS, LLC  
and IOFINA RESOURCES INC,**

Defendants.

Case No. **18-60060-7**

Adv No. **18-00016-BPH**

***O R D E R***

At Butte in said District this 10<sup>th</sup> day of May, 2018.

In this Adversary Proceeding, after due notice, a pre-trial scheduling conference was held May 9, 2018. The parties appeared through counsel. The parties shall comply with the schedule herein specified or be subject to sanctions, contempt, and expenses as provided by the Federal Rules of Bankruptcy Procedure, as may be requested by either party. Upon review of the record and based upon the statements of counsel,

IT IS ORDERED:

1. **Consent.** On or before **May 23, 2018**, the parties shall file a notice stating whether

they knowingly and voluntarily consent to this Court finally adjudicating the claims alleged in this Adversary Proceeding.

2. **Discovery**. Any and all discovery shall be completed by **August 1, 2018**.

Consequently, all written discovery shall be served upon the opposing party or parties well enough in advance of the August 1, 2018, deadline to enable the answering party to complete responses to said written discovery under the time limits set forth in the Federal Rules of Bankruptcy Procedure.

3. **Motions**. Any and all pretrial motions, together with supporting memoranda or other materials, must be filed and served on or before **August 23, 2018**. Any motions filed after the August 23, 2018, deadline will not be considered by the Court.

4. **ADR**. If the parties should desire to engage in alternate dispute resolution (“ADR”) procedures, including mediation or a settlement conference, the parties shall so notify the Court and such procedures shall be completed on or before **October 12, 2018**.

5. **Pretrial Order**. A Joint Pretrial Order shall be filed with the Court on or before **September 28, 2018**. The Joint Pretrial Order shall include the following:

- a. A brief statement of the general nature of the action and the relief sought by each party.
- b. The basis for subject matter jurisdiction and whether the case is core or non-core, and if core, whether the court can enter final orders and judgment. If these matters are disputed, the positions of each of the parties should be explained. Also, confirm that each party has consented to the jurisdiction of the bankruptcy court.
- c. Set forth any stipulated facts.

d. Separately set forth the Parties' contentions, (i.e., plaintiff's contentions and defendants contentions).

e. Set forth an agreed statement of issues to be tried.

f. Plaintiffs Exhibits (identified by number).

g. Defendants Exhibits (identified by letter).

On or before **September 21, 2018**, each party shall file with the Court and serve upon opposing counsel or parties: (a) a list identifying by name and address all prospective witnesses, including specifying all expert witnesses; (b) a list of all proposed exhibits (by number for the Plaintiffs and by letter for the Defendants).

6. **Pre-Trial Memorandum**. Each party may file and serve a short pretrial memorandum with the Court on or before **October 26, 2018**, containing a brief description of the issues of fact and/or law, the parties' theories of the case, and a discussion of applicable authorities for such positions.

7. **Trial**. The parties shall be prepared to commence trial of this action on **November 19, 2018, at 09:00 a.m.** in the ELLA KNOWLES COURTROOM, 4<sup>TH</sup> FLOOR ROOM 4805, JAMES F. BATTIN UNITED STATES COURTHOUSE, 2601 2<sup>ND</sup> AVENUE NORTH, BILLINGS, MONTANA. A motion for continuance of trial will not be granted unless extraordinary cause is shown.

BY THE COURT:



Hon. Benjamin P. Hursh  
United States Bankruptcy Court  
District of Montana